

**Remarks**

This invention relates to a method and access point for controlling access by a user terminal to a communications network, in which an authentication mechanism which is compatible with the user terminal is selected if the user terminal is not compatible with a predetermined authentication protocol. Nowhere is the claimed invention shown or suggested by the cited prior art.

The Examiner has rejected Claims 1-27, all of the claims in the application, as anticipated under 35 USC 102(e) by US 7,483,984 to Jonker et al.

In order to more clearly define the invention, Claims 1, 4, 10, 21 and 22 have been amended.

Jonker et al relates to an arrangement which allows a client device to access a plurality of carrier networks. However, nowhere do Jonker et al show or suggest:

“determining whether the user terminal uses a predetermined authentication protocol in response to the response to the identity request message; and  
selecting an authentication mechanism compatible with the user terminal upon determining the user terminal is not compatible with the predetermined authentication protocol, for allowing user terminal access to the communications network”,

as specifically recited in Claim 1 as amended. Rather, Jonker et al disclose that all devices use the same wireless protocol such as IEEE 802.11b. See column 5, lines 56-64. It is therefore clear that Jonker et al do not affect the patentability of Claim 1 as amended.

Claims 2 and 3 are dependent from Claim 1 and add further advantageous features. The Applicants submit that these subclaims are patentable as their parent Claim 1.

Similarly, nowhere do Jonker et al show or suggest:

“determining whether the mobile terminal is IEEE 802.1x compliant in response to the response to the identity request message; and

selecting an authentication mechanism, compatible with the mobile terminal, in response to a determination that the mobile terminal is not IEEE 802.1x compliant, for allowing user mobile terminal access to the wireless local area network”,

as specifically recited in Claim 4. It is therefore clear that Jonker et al do not affect the patentability of Claim 4.

Claims 5 to 9 are dependent from Claim 4 and add further advantageous features. The Applicants submit that these subclaims are patentable as their parent Claim 4.

Similarly, nowhere do Jonker et al show or suggest:

“a means to determine whether the terminal device utilizes an IEEE 802.1x protocol and, if the terminal does not utilize said protocol, then the access point employing an authentication means compatible with the terminal device, otherwise the access point employing an IEEE 802.1x protocol”,

as specifically recited in Claim 10. It is therefore clear that Jonker et al do not affect the patentability of Claim 10.

Claims 11-13 are dependent from Claim 10 and add further advantageous features. The Applicants submit that these subclaims are patentable as their parent Claim 10.

Similarly, nowhere do Jonker et al show or suggest:

“an access point communicating to the mobile terminal a request to identify, and if the terminal device utilizes an IEEE 802.1x protocol, acknowledging the request to identify, otherwise the access point determining that the terminal is not IEEE802.1x compliant and selecting an authentication mechanism compatible with the mobile terminal”,

as specifically recited in Claim 14. It is therefore clear that Jonker et al do not affect the patentability of Claim 14.

Claims 15-20 are dependent from Claim 14 and add further advantageous features. The Applicants submit that these subclaims are patentable as their parent Claim 14.

Similarly, nowhere do Jonker et al show or suggest:

“if the terminal device utilizes an IEEE 802.1x protocol, acknowledging the request to identify, otherwise determining by the access point that the terminal is not IEEE 802.1x compliant and selecting an authentication mechanism compatible with the terminal”,

as specifically recited in Claim 21. It is therefore clear that Jonker et al do not affect the patentability of Claim 21.

Claims 22-27 are dependent from Claim 21 and add further advantageous features. The Applicants submit that these subclaims are patentable as their parent Claim 21.

The Applicants therefore submit that the instant Application is now in condition for allowance. A notice to that effect is respectfully solicited.

No fee is believed to have been incurred by virtue of this amendment, other than the fee for an extension of time. However if a fee is incurred on the basis of this amendment, please charge such fee against Deposit Account 07-0832.

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